A

B I L L

TO

Confirm certain Provisional Orders of the Local Government Board for Ireland relating to the Rural Districts of Rathdrum and Balrothery and the Urban District of Warrenpoint. A.D. 1910.

WHEREAS the Local Government Board for Ireland (hereinafter referred to as "the Local Government Board") have made the Provisional Orders set forth in the schedule hereto under the Public Health (Ireland) Acts 1878 to 1907:

5 And whereas it is requisite that the said Orders should be confirmed by Parliament and that the provisions herein contained should be enacted with reference to those Orders:

Be it therefore enacted by the King's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and 10 Temporal and Commons in this present Parliament assembled and by the authority of the same as follows:—

1. The Orders set out in the schedule hereto are hereby confirmed and all the provisions thereof shall have full validity and force. Orders in schedule confirmed.

15 **2.** The council of the urban district of Warrenpoint shall not under the powers of the Order relating to that district and hereby confirmed purchase or acquire in any urban district any house or houses which on the fifteenth day of December last were occupied either wholly or partially by thirty or more persons belonging to 20 the working class as tenants or lodgers or except with the consent of the Local Government Board any house or houses which were not so occupied on the said fifteenth day of December but have been or shall be subsequently so occupied. Restriction of power to take houses of working class.

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A.D. 1910.

If the said council acquire or appropriate any house or houses for the purposes of that Order in contravention of the foregoing provisions they shall be liable to a penalty of five hundred pounds in respect of every such house which penalty shall be recoverable by the Local Government Board by action in the High Court and shall be carried to and form part of the Consolidated Fund of the United Kingdom Provided that the Court may if it think fit reduce such penalty.

For the purposes of this section the expression "house" means any house or part of a house occupied as a separate dwelling and the expression "working class" means mechanics artizans labourers and others working for wages hawkers costermongers persons not working for wages but working at some trade or handicraft without employing others except members of their own families and persons other than domestic servants whose income does not exceed an average of thirty shillings a week and the families of any of such persons who may be residing with them.

Short title.

3. This Act may be cited as the Local Government Board (Ireland) Provisional Orders Confirmation (No. 3) Act 1910.

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SCHEDULE.

A.D. 1910.

RURAL DISTRICT OF RATHDRUM.

Provisional Order to enable the Council of the Rural District of Rathdrum to put in force the Compulsory Clauses of the Lands Clauses Acts. *Rathdrum.*

WHEREAS the council of the rural district of Rathdrum (in this Order referred to as "the district council") require to purchase and take the lands and premises described in the schedule hereto for the purpose of providing sewage disposal works for Kilpedder in their district:

Now therefore We the Local Government Board for Ireland in pursuance of the powers given to Us by section 203 of the Public Health (Ireland) Act 1878 and of all other powers enabling Us in that behalf do hereby order that from and after the date of the Act confirming this Order the following provisions shall have effect namely:— 41 & 42 Vict. c. 52.

1. The district council shall be empowered to put in force with reference to the lands and premises described in the schedule hereto and for the purpose aforesaid the powers of the Lands Clauses Acts as amended by section 8 of the Public Health (Ireland) Act 1896 with respect to the purchase and taking of lands otherwise than by agreement or any of them. 59 & 60 Vict. c. 54.

2. The costs and expenses of the district council and the Local Government Board for Ireland incurred in respect of the application for preparation making and confirmation of this Order shall be paid by the district council and the money required for that purpose shall be supplied by the county council of Wicklow in the manner provided by the Local Government (Ireland) Act 1898 as part of the expenses of the district council. 61 & 62 Vict. c. 37.

3. This Order may be cited as the Kilpedder Sewerage Order 1910.

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A.D. 1910.

Rathdrum.

SCHEDULE.

County of Wicklow.
Rural District of Rathdrum.
Parish of Newcastle Upper Townland of Mount Kennedy Demesne.

Reference to deposited Plan.	Description of Land.	Owner.	Occupier.
M	Piece of ground containing 1a. 2r.	Major Gun Cunninghame.	Major Gun Cunninghame.

Given under our seal of office this eleventh day of April in the year of our Lord one thousand nine hundred and ten.
(L.S.) (Signed) H. A. Robinson.

RURAL DISTRICT OF BALROTHERY.

Balrothery.

Provisional Order to enable the Council of the Rural District of Balrothery to put in force the Compulsory Clauses of the Lands Clauses Acts and for the alteration and amendment of an Act confirming a Provisional Order.

7 Edw. 7. c. cix.

WHEREAS by the Malahide Waterworks Order 1907 (in this Order referred to as "the Order of 1907") which was confirmed by the Local Government Board (Ireland) Provisional Orders Confirmation (No. 3) Act 1907 (in this Order referred to as "the Act of 1907") the council of the rural district of Balrothery (in this Order referred to as "the district council") were empowered to put in force with reference to the lands water and rights described in the schedule to the said Order the powers of the Lands Clauses Acts as amended by section 8 of the Public Health (Ireland) Act 1896 with respect to the purchase and taking of land otherwise than by agreement for the purpose of providing a supply of water for the town of Malahide in their district:

59 & 60 Vict. c. 54.

And whereas the district council further require for the purpose aforesaid to take and purchase the lands water and rights described in the schedule hereto in addition to the lands water and rights described in the schedule to the Order of 1907:

And whereas no period is prescribed by the Order of 1907 for the exercise by the district council of the powers thereby conferred for the compulsory purchase or taking of the lands water and rights described in the schedule thereto and accordingly those powers would under section 123 of the Lands Clauses Consolidation Act 1845 as

8 & 9 Vict. c. 18.

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A.D. 1910.

Balrothery.

incorporated with the Public Health (Ireland) Act 1878 cease after the expiration of three years from the passing of the Act of 1907 but for the provision herein-after made for the amendment of the said Act of 1907: 41 & 42 Vict. c. 52.

And whereas the district council have petitioned the Local Government Board for Ireland (in this Order referred to as "the Local Government Board") for a Provisional Order amending the said Act of 1907 to the extent and in the manner herein-after set forth:

Now therefore We the Local Government Board in pursuance of the powers given to Us by section 203 and by section 214 of the Public Health (Ireland) Act 1878 and of all other powers enabling Us in that behalf do hereby order that from and after the date of the Act confirming this Order the following provisions shall have effect:— 41 & 42 Vict. c. 52.

1. The district council shall be empowered to put in force with reference to the lands water and rights described in the schedule hereto and for the purpose aforesaid the powers of the Lands Clauses Acts as amended by section 8 of the Public Health (Ireland) Act 1896 with respect to the purchase and taking of lands otherwise than by agreement or any of them. 59 & 60 Vict. c. 54.

2. The powers conferred on the district council by the last preceding Article of this Order shall be in addition to and not in substitution for the powers conferred upon them by the Order of 1907.

3. For the purposes of this Order the expression "land" in the Lands Clauses Acts shall include the lands water and rights described in the schedule hereto.

4. The Act of 1907 so far as it relates to the Order of 1907 shall be amended so as to provide as follows (that is to say):—

> The powers conferred upon the district council by the Order of 1907 for the compulsory purchase or taking of the lands water and rights described in the schedule to the said Order may be exercised at any time within a period of six years from the passing of the said Act of 1907 and after the expiration of that period those powers shall cease.

5. The costs and expenses of the district council and the Local Government Board incurred in respect of the application for preparation making and confirmation of this Order shall be paid by the district council and the money required for that purpose shall be supplied by the county council of Dublin in the manner provided by the Local Government (Ireland) Act 1898 as part of the expenses of the district council. 61 & 62 Vict. c. 37.

6. This Order may be cited as the Malahide Waterworks Order 1910.

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A.D. 1910.

Balrothery.

SCHEDULE.

County of Dublin.

Rural District of Balrothery.

Description of Lands.	Names of persons being Owners or Lessees and Occupiers of land on or abutting on or adjoining the river known as the Ward River which flows through the catchment area referred to in the first column and is partly fed by the wells streams and springs referred to in the said column or being an Owner or Lessee and Occupier of Land in the catchment area therein referred to.
The right to take the water from the well in the townland of Laurestown in the parish of Finglas (part of) number 29 on plan and also the streams in the townlands of Toberburr in the parish of Finglas Killeek and Westereave in the parish of Killeek numbered 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 and 45 on plans and to acquire the water rights of said well and streams and of the springs therein all such townlands being in the Electoral Division of Kilsallaghan Barony of Nethercross and county of Dublin.	Sir J. M. Staples Michael Dunne William Keeling Joseph Coleman James Gilsenan Thomas Lumley Thomas Aungier Charles Hoey Frederick Hoey Francis Hoey John W. Pepper Mrs. Penelope S. Tuthill Miss Ellen Tuthill C. E. Tuthill John Owens Chr. Owens Joseph Teeling James Healy John Geraghty James Farrell Representatives Richard Barnewall John McDonnell Michael Murphy Mary Monks Peter Owens Mrs. Harriett Crompton P. F. Creane Mrs. Matilda Adelaide O'Callaghan Representatives of Mrs. Kelly John McCormick Charles R. Norton Representatives of P. R. Norton John Brangan James Clarke William Howard Colonel J. F. Forster Thomas Duff, J. Hely Hutchinson Mrs. Belinda K. Elliott John Duff Representative Church Body Ireland Mrs. Weldon Mrs. Catherine Long Nicholas Long Joseph Harford Michael Long Misses Fitzharris Thomas Caffrey Rev. Mr. Pike Peter Cannon James Bird Mrs. Mary Jane Lyons Mrs. Annie Brangan Mrs. McRodden Miss Bridget Kiernan Mathew Rourke Patrick Egan Michael Savage Rev. D. P. Mulcahy P.P. Thomas O'Keeffe James Farrell Wm. O'Driscoll John Coleman Mrs. Connor Thos. Lowndes Mrs. Phillips J. P. Cuffe Representatives of Nicholas Moran Mrs. Alice Pentony Misses L'Estrange Representatives of Joseph Cuffe Mrs. Margaret Murphy Mrs. Ellen Kelly Charles Connor Sir Guilford Molesworth J. Forster Dunwoody Mrs. M. A. Early Representatives of Michael Long Patrick Long Joseph Christie J.P. Mrs. Mary Farrell Miss Agnes Stewart Captain Owen Mark Taylor Mrs. M. Cannon Hugh J. and J. M. Cairnes Swords Economy Estate Colonel W. Butler Lord Rathdonnell Sir Eyre Coote The Irish Land Commission The Estates Commissioners The Bank of Ireland The National Bank Limited.
The right to take the water from any springs or streams or wells rising in or flowing from the catchment area coloured green on sheet number 1 of deposited plans the area of which is 660 statute acres and being situate in the townlands of Mount Ambrose Great Killeek and Westereave in the parish of Killeek Toberburr Westereave (part of) and Laurestown in the parish of Finglas Surgalstown South in the parish of Killossery except the water of the Ward River which flows into said catchment area at the point marked "C" on said plans all said townlands being in the Electoral Division of Kilsallaghan Barony of Nethercross and county of Dublin.	
The right to convey the water from said well streams or springs or from any springs stream or well in said catchment area by pipes or conduits to the proposed reservoir but not the right to take or convey as aforesaid the water of the said Ward River which flows into said catchment area at the point marked "O" on said plans.	

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A.D. 1910.

Balrothery.

Parish of Killeek.

Nos. on deposited Plans.	Description of Lands.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
	Townland of Westereave.			
17	Portion of field containing 2a. 0r. 35p.	Charles Hoey Frederick Hoey Francis Hoey.	Thomas Aungier	Thomas Aungier.
18	Waste land and portion of passage for wayleave containing 6p.	Charles Hoey Frederick Hoey Francis Hoey or John W. Pepper Penelope S. Tuthill C. E. Tuthill Ellen Tuthill.	Thomas Aungier or Christopher Owens or William Keeling.	Thomas Aungier or Christopher Owens or William Keeling.
28	Portion of field containing 3a. 0r. 20p.	William Keeling (Irish Land Commission).	- - -	William Keeling.
32	Land with stream therein and bank of same and the right to take the water and acquire water rights of springs therein containing 7p.	Charles Hoey Frederick Hoey and Francis Hoey.	Thomas Aungier	Thomas Aungier.
34	Same containing 3p.	Same - -	Same - -	Same.
37	Same containing 20p.	Same - -	Same - -	Same.
38	Same containing 1r.	Same - -	Same - -	Same.
38A	Portion of land for wayleave containing 17p.	Same - -	Same - -	Same.
38B	Same containing 4p.	Same - -	Same - -	Same.
39	Land with stream therein and bank of same and the right to take the water and acquire water rights of springs therein containing 27p.	Same - -	Same - -	Same.
40	Same containing 17p.	Same - -	Same - -	Same.
42	Same containing 7p.	Same - -	Same - -	Same.
44	Same containing 3p.	Same or Sir J. M. Staples.	Same or Wm. Keeling.	Same or Wm. Keeling.

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A.D. 1910.

Balrothery.

Nos. on deposited Plans.	Description of Lands.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
		Townland of Killeek.		
27	Portion of field and bank for pond and stream diversion containing 3r. 23p.	Sir J. M. Staples	Thomas Lumley	Thomas Lumley.
41	Land with stream therein and bank of same and the right to take the water and acquire water rights of springs therein containing 14p.	Same - -	William Keeling	William Keeling.
43	Same containing 6p.	Same - -	Same - -	Same.
45	Same containing 22p.	Same - -	Same - -	Same.
		Parish of Finglas.		
		Townland of Toberburr.		
19	Waste land and portion of passage for wayleave containing 9p.	Charles Hoey Frederick Hoey Francis Hoey or John W. Pepper Penelope S. Tuthill C. E. Tuthill Ellen Tuthill.	Thomas Aungier or Christopher Owens or William Keeling.	Thomas Aungier or Christopher Owens or William Keeling.
21	Portion of field for pond containing 1a. 1r. 23p.	John W. Pepper Penelope S. Tuthill C. E. Tuthill and Ellen Tuthill.	James Healy -	James Healy.
22	Same containing 39p.	Same - -	Christopher Owens.	Christopher Owens.
23	Same containing 1r. 27p.	Same - -	Same - -	Same.
24	Portion of field and stream for pond containing 3r. 4p.	Same - -	Jamee Healy -	James Healy.
25	Same containing 2r. -	Same - -	Same - -	Same.
26	Portion of field and bank for pond containing 1r. 15p.	Same - -	Same - -	Same.
30	Land with stream therein and bank of of same and the right to take the water and acquire water rights of springs therein containing 24p.	Same - -	John and Christopher Owens.	John and Christopher Owens.
31	Same containing 26p.	Same - -	Same - -	Same.

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Nos. on deposited Plans.	Description of Lands.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
33	Same containing 6p. -	Same - -	John Owene -	John Owens.
35	Same containing 3p. -	Same - -	James Gilsenan	James Gilsenan
36	Same containing 11p.	Same - -	Same - -	Same.
		Townland of Laureetown.		
29	Portion of field and well and right to take the water and acquire water rights of springs therein containing 1r. 7p.	John McDonnell (Irish Land Commission).	. . .	John McDonnell.
		Townland of Westereave (Part of).		
20	Waste land and portion of passage for wayleave containing 3p.	Charles Hoey Frederick Hoey Francis Hoey or John W. Pepper Penelope S. Tuthill C. E. Tuthill and Ellen Tuthill.	Thomas Aungier or Christopher Owens or William Keeling.	Thomas Aungier or Christopher Owens or William Keeling.
		Parish of Malahide.		
		Townland of Malahide.		
47	Portion of field for high level service tank containing 2a. 0r. 5p.	Right Honourable Richard Wogan Baron Talbot de Malahide.	Michael Gaffney	Michael Gaffney.
48	Passage for wayleave containing 1r. 8p.	Same - -	Same - -	Same (Mrs. James Murphy John Keogh and John Dunne claim right of way).

Given under our seal of office this twenty-third day of March in the year of our Lord one thousand nine hundred and ten.

(L.S.) (Signed) H. A. Robinson.

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A.D. 1910.

URBAN DISTRICT OF WARRENPOINT.

Warrenpoint.

Provisional Order to enable the Council of the Urban District of Warrenpoint to put in force the Compulsory Clauses of the Lands Clauses Acts.

WHEREAS the urban district council of Warrenpoint (in this Order referred to as "the district council") require to purchase and take the lands water and rights described in the schedule hereto for the purpose of improving the supply of water for their district:

Now therefore We the Local Government Board for Ireland in pursuance of the powers given to Us by section 203 of the Public Health (Ireland) Act 1878 and of all other powers enabling Us in that behalf do hereby order that from and after the date of the Act confirming this Order the following provisions shall have effect namely:—

41 & 42 Vict. c. 52.

1. The district council shall be empowered to put in force with reference to the lands water and rights described in the schedule hereto and for the purpose aforesaid the powers of the Lands Clauses Acts as amended by section 8 of the Public Health (Ireland) Act 1896 with reference to the purchase and taking of lands otherwise than by agreement or any of them.

59 & 60 Vict. c. 54.

2. For the purposes of this Order the expression "land" in the Lands Clauses Acts shall include the lands water and rights described in the schedule hereto.

3. The costs and expenses of the district council and the Local Government Board for Ireland incurred in respect of the application for preparation making and confirmation of this Order shall be paid by the district council out of the rate applicable by that council to defray the expenses incurred by them in the execution of the Public Health (Ireland) Acts 1878 to 1907.

4. This Order may be cited as the Warrenpoint Order 1910.

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A.D. 1910.

Warrenpoint.

SCHEDULE.

County of Down.

Reference to deposited Plan.	Description of Lands.	Owners or reputed Owners.	Occupiers.
	Parish of Kilkeel—Townland of Mourne Mountains West.		
1	Mountain containing 1a. 1r. 0p.	The Irish Land Commission Samuel Shannon Daniel Cunningham Hunter Moore.	The Irish Land Commission Samuel Shannon Daniel Cunningham Hunter Moore John Crangle Francis Newell John Linden and others.
1A	Same containing 1r. 16p.	Same - - - -	Same.
2	Causeway water bed and soil of river containing 1r. 37p. and the right to take water therefrom.	Same - - - -	Same.
3	Cross river bed and soil of river containing 10p. and the right to take water therefrom.	Same - - - -	Same.
4	Island containing 38p.	Same - - - -	Same.
	Parish of Kilbroney—Townland of Kilfeaghan Upper.		
1	Mountain and river bank containing 2r. 30p.	David Craig Mary A. Craig Catherine Brennan (Mark) Owen Fearon Mary Murphy Matthew Sloane Richard Quinn James White Henry White Anne Fearon.	Catherine Brennan (Mark) James Brennan Peter Brennan Catherine Brennan (Edward) Ellen Brennan Catherine Cull James Crilly James Flannigan Ellen Flannigan Mary Flannigan Owen Fearon Anne Fearon Thomas Murphy Michael Murphy Patrick Murphy Mary Murphy Margaret Sloane (Jas.) Mary Sloane Nicholas Sloane Charles Sloane Margaret Sloane (Fearon) Matthew Sloane Patrick Sloane Richard Quinn Sarah Ann Quinn James White Henry White Bridget Sloane.
2	Watergap river bed and soil of river containing 15p. and the right to take water therefrom.	Same - - - -	Same.
3	Mountain containing 2a. 3r. 5p.	Same - - - -	Same.
4	Causeway water bed and soil of river containing 1r. 8p. and the right to take water therefrom.	Same - - - -	Same.

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Warrenpoint.

Reference to deposited Plans.	Description of Lands.	Owners or reputed Owners.	Occupiers.
	Townland of Kilfeaghan.		
1	Mountain containing 1a. 1r. 16p.	David Craig Mary A. Craig.	James Flannigan Ellen Flannigan Mary Flannigan.
1A	Same containing 30p.	Same - - - -	Peter Brennan.
2	Watergap river bed and soil of river containing 12p. and the right to take water therefrom.	Same - - - -	James Flannigan Ellen Flannigan Mary Flannigan.
2A	Same containing 3p. and the right to take water therefrom.	Same - - - -	Peter Brennan.
	Parish of Clonallan—Townland of Ballymaconaghy.		
1	Field containing 1a. 0r. 30p.	Roger Hall - - -	James Lindon.
2	Cartway containing 30p.	Same - - - -	Same.

Given under our seal of office this nineteenth day of March in the year of our Lord one thousand nine hundred and ten.

(L.S.) (Signed) T. J. Stafford.

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Local Government (Ireland) Provisional Orders (No. 3).

A

B I L L

To confirm certain Provisional Orders of the Local Government Board for Ireland relating to the Rural Districts of Rathdrum and Balrothery and the Urban District of Warrenpoint.

Presented by

Mr. Attorney-General for Ireland.

Ordered, by The House of Commons, *to be Printed,* 21 *April* 1910.

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